

REPORT FOR: **COUNCIL**

Date of Meeting:	12 June 2014
Subject:	Members' Allowances and Constitutional Changes
Responsible Officer:	Director of Legal and Governance Services
Exempt:	No
Wards affected:	All
Enclosures:	Appendix - Members' Allowances Scheme

Section 1 – Summary and Recommendations

Council is asked to consider changes to the Members' Allowances Scheme and proposals to amend the Council's Constitution.

Recommendations: That

- (1) the Members' Allowances Scheme, as amended in paragraphs 11 and 12 and Schedule 1, be adopted;**
- (2) Members agree to forego their allowance to the extent necessary to discharge any debt to the Council;**
- (3) the Constitution be amended to include the requirement that certain posts and membership of certain bodies, as detailed in this report, require an enhanced Disclosure and Barring Service check and relevant training.**

Section 2 – Report

Members' Allowances Scheme

Members' Allowances are governed by The Local Authorities (Members' Allowances) (England) Regulations 2003 and each year, at the February

Council (Council Tax) meeting, the Council makes a Members' Allowances scheme for the following financial year. Under the Regulations, when making or amending a Scheme, the Council is required to have regard to the recommendations of an Independent Remuneration Panel (section 19). On 27 February 2014, the Council approved the current scheme until 31 March 2015.

Under the Scheme, all Members receive a Basic Allowance, which is paid directly into Members' bank accounts in 12 monthly instalments. The Basic Allowance is designed not only to recognise the time commitment that Members put into their duties as Councillors, but also to cover incidental costs in discharging their duties, eg private telephone calls, cost of buying a computer to do Ward work at home, broadband, etc. Some Members also receive a Special Responsibility Allowance to recognise that they have additional responsibilities (eg Cabinet members). Members can elect to forgo their allowances.

Section 106 of the Local Government Finance Act 1992 provides that any Member who has undischarged arrears of at least two months in respect of their Council Tax liability is precluded from participating in a vote on the setting of the Council Tax at Full Council, when that matter is considered.

It is proposed that Members be requested to give authority to forego their allowance to the extent necessary to discharge any debt to the Council.

It is also proposed that the scheme be amended at paragraph 11 to indicate that a person may write to the Director of Legal and Governance Services, rather than the Chief Executive, in order to elect to forgo any part of his/her entitlement to an allowance under the scheme.

Following changes to the Standards regime, there is no longer the power to withhold allowances and therefore it is recommended that paragraph 12 of the scheme be deleted.

Following the Local Elections on 22 May 2014, there are now two political Groups. It is proposed that Schedule 1 of the Scheme be amended to reflect this.

Constitutional Amendments

Members are requested to agree that certain posts and membership of the certain bodies/group require a check by the Disclosure and Barring Service Check.

The following posts and memberships of the bodies listed require a DBS check:

- Portfolio Holder for Children's Services
- Portfolio Holder for Schools
- Portfolio Holder for Adults
- Scrutiny Leads for Children
- Scrutiny Leads for Adults

- Corporate Parenting Panel
- Adoption Panel
- Fostering Panel
- Secure Accommodation Panel
- Social Services Appeals Panel
- School Placement Panel
- Children and Young People's Partnership
- Adults Safeguarding Board
- Elected Councillors (Members) nominated for the position of/appointed as a Local Authority Governor

In addition to the DBS check, certain positions will require Members to attend training prior to participation, similar to that attended by members of the Planning Committee.

DBS checks fall within the remit of the Director of Legal and Governance Services and appropriate Councillors will be contacted individually by his office.

Financial Implications

The scheme will be delivered within the existing budget.

The costs of the DBS checks will be met from within existing budgets.

Legal Implications

Incorporated in the body of the report.

Equalities implications

None

Corporate Priorities

N/a

Section 3 - Statutory Officer Clearance

Name: Simon George	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 11 June 2014		
Name: Hugh Peart	<input checked="" type="checkbox"/>	Monitoring Officer
Date: 11 June 2014		

Ward Councillors notified:	NO
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Section 4 - Contact Details and Background Papers

Contact: Alison Atherton tel: 020 8424 1266
email:alison.atherton@harrow.gov.uk

Background Papers: None

If appropriate, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	N/a